

Repeal of former acts

poration of the town of Henderson, are hereby repealed, but the repeal of said acts shall not effect any act done, save in the election of town officers, or right accrued or established, or any proceeding, suit or prosecution, had or commenced previous to the time when such repeal shall take effect, but every such act, right or proceeding, shall be as valid and effectual as if said acts had remained in force.

SEC. 9. This Act is hereby declared to be a public act, and may be read in evidence in all Courts of law in this State.

SEC. 10. This Act shall take effect and be in force from and after its passage.

GEORGE BRADLEY,

Speaker of the House of Representatives.

WILLIAM HOLCOMBE,

President of the Senate.

APPROVED—August ninth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }

August 9, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

## CHAPTER CXV.

### *An Act to Incorporate the Town of Taylor's Falls.*

- CHAPTER 1. Of the Town Boundaries.  
 2. Of the Government of the Town.  
 3. Of Town Elections.  
 4. Of the eligibility to the office of the Town President.  
 5. Of the duties of the Recorder  
 6. Of the Justice of the Peace.  
 7. Of the duties of other officers.  
 8. Of salaries of Town officers.  
 9. Miscellaneous provisions.

*Be it enacted by the Legislature of the State of Minnesota:*

### CHAPTER I.—BOUNDARIES.

SECTION 1. All the district of country in the county of

Chisago, contained within the limits and boundaries hereinafter described, shall be a town by the name of Taylor's Falls, and the people now inhabiting, and those who shall hereafter inhabit within the district of country hereinafter described, shall be a municipal corporation by the name of Taylor's Falls, and shall have the general powers possessed by municipal corporations at the common law, and the authorities thereof shall have perpetual succession; shall be capable of contracting and being contracted with, of suing and being sued, pleading and being impleaded in all Courts of law and equity, and shall have a common seal, and may change and alter the same at pleasure.

Of the town boundaries and corporate powers

Sec. 2. The limits of said town, shall be all that district of country on the west side of St. Croix River, known and designated, according to the United States survey, as the east half of section twenty-four (24), and the south-east quarter of the south-west quarter of section twenty-four (24), all of section twenty-five (25), and section thirty-six (36), in town thirty-four, range nineteen (19), and all that portion of sections thirty (30), nineteen (19), and eighteen (18), in town thirty-four (34), range eighteen (18), which lies west of the St. Croix River.

#### CHAPTER 2.—GOVERNMENT OF THE TOWN.

SECTION 1. There shall be a Town Council to consist of a President, Recorder, and three Trustees, and whenever a majority of the qualified electors of said town shall decide in favor of a division of said town into wards, it shall be the duty of the Town Council to make an equitable division thereof for the welfare of said town, and each ward thereafter shall be entitled to three Trustees, who shall be members of the Town Council.

Of the town government

Sec. 2. At the first meeting of the Town Council, the Trustees shall be divided by lot into three classes. The seats of the first shall be vacated at the first annual election, the second class at the second annual election, and the seats of the third class at the third annual election.

Sec. 3. The Town Council shall judge of the qualifications, elections and returns of their own members, and shall determine all contested elections.

Sec. 4. A majority of the Town Council shall constitute a quorum to do business, but a smaller number may adjourn from time to time, and compel the attendance of absent members under such penalties as may be prescribed by ordinance.

Of the powers of the town council

Sec. 5. The Town Council shall have power to determine the rule of its proceedings, punish its members for disorderly conduct, and with the concurrence of two-thirds of the members elected expel a member for sufficient cause.

Sec. 6. The Town Council shall have power to make all ordinances and by-laws which shall be necessary and proper

Of the powers  
of the town  
council

to effect and execute the powers specified in this Act, so that such ordinance or by-laws is not repugnant to nor inconsistent with the Constitution of the United States and the Constitution of the State of Minnesota.

SEC. 7. The style of the ordinances of the town shall be: Be it ordained by the Council of the Town of Taylor's Falls.

SEC. 8. The Town Council shall keep a Journal of its proceedings, and ayes and nays, when demanded by any member present shall be entered on the journal.

SEC. 9. No member of the Town Council shall be appointed to any office under the authority of the town, which shall have been created, or the compensation of which shall have been increased during the time for which he shall have been elected.

SEC. 10. The members of the Town Council before entering upon the duties of their office, shall take and subscribe an oath that they will support the Constitution of the United States, and the Constitution of the State of Minnesota, and that they will well and truly perform the duties of their office to the best of their abilities.

SEC. 11. Whenever there shall be a tie in an election there shall be a new election, ordered in such manner as shall be provided by ordinance, and whenever a vacancy shall occur by death, resignation or otherwise, there shall be a new election, which shall be provided for by ordinance.

[SEC. 12. The Town Council shall hold meetings at such times and places as may be prescribed by ordinance.]

SEC. 13. The Town Council shall have power and authority to levy and collect taxes on all property real and personal within the limits of the town, not exceeding one per cent. per annum upon the assessed value thereof, and may enforce the payment of the same in any manner to be proscribed by ordinance not repugnant to the Constitution of the United States or the Constitution of the State of Minnesota.

SEC. 14. The Town Council shall have power to appoint Supervisors of streets, and such other officers as may be necessary, to carry out the government and public improvements in said town.

SEC. 15. The Town Council shall have the power to require of all officers elected in pursuance of this charter, such bonds with penalties and security for the faithful performance of their respective duties as may be deemed expedient.

SEC. 16. To appropriate money, and provide for the payment of the same.

SEC. 17. To make regulations to secure the general health of the inhabitants, and to prevent nuisances, and to remove the same, and to compel the owner or keeper of any grocery, stable, barn, privy, sewer, or any other unwholesome or nauseous house, place or object, to cleanse, remove or abate the same, whenever the health, comfort or convenience of the town demand it.

Sec. 18. To open, alter, abolish, widen, extend, establish, grade, repair or otherwise improve and keep in repair streets, avenues and alleys. Of the powers  
of the town  
council

Sec. 19. To establish, erect and keep in repair bridges.

Sec. 20. To provide for the lighting of streets and the erection of lamp posts.

Sec. 21. To establish, support and regulate night watches.

Sec. 22. To provide for the erection of all needful buildings for the use of the town, and the erection, repair and extension of side-walks.

Sec. 23. To erect market-houses, establish markets and market places, and provide for the government and regulation thereof, and direct the location of slaughter-houses.

Sec. 24. To provide for the enclosing, improving and regulating all public grounds belonging to the town.

Sec. 25. To improve, erect and preserve the landings, public wharves, and docks, on the St. Croix River, within the limits of the town, and regulate the rates of wharfage thereat.

Sec. 26. To regulate and tax merchants, retailers, taverns, groceries, ordinaries, bankers, pedlars, brokers, pawn-brokers, and money-changers, license and regulate the exhibition of shows, and showmen, theatres and theatrical performances of any kind, to license, tax and regulate hacks, carriages, wagons, carts and drays, and fix the rates to be paid for the carriage of persons, and for wagonage, drayage and cartage of property.

Sec. 27. To provide for the prevention of fires and extinguishment of the same, and to organize and establish Fire Companies and erect engine houses. Of the powers  
of the town  
council

Sec. 28. To regulate the fixing of chimneys, stove pipes and the flues thereof.

Sec. 29. To regulate the storage of gun-powder and other combustible materials.

Sec. 30. To regulate and order parapet walls and partition fences.

Sec. 31. To provide for and regulate the inspection of beef, pork, flour, meal, butter, lard and other provisions.

Sec. 32. To regulate the police of the town, to assess fines, forfeitures and penalties, for the breach of any ordinance, and provide for the recovery and appropriation of such fines and forfeitures, and the enforcement of such penalties.

Sec. 33. To provide for and fix the compensation of all town officers, and regulate the fees of jurors, witnesses, and other services rendered under this Act, or any ordinance, and provide for removing from office any person holding an office created by ordinance.

Sec. 34. The books and papers of any officer of said town shall always be open to inspection to any tax paying citizen of said town.

Sec. 35. To prevent the encumbering the streets, side

Of the powers  
of the town  
council

walks, landings, wharves, docks, or public grounds with any implements, materials or substance whatsoever needlessly.

SEC. 36. To prevent horse racing, and immoderate driving or riding in the streets.

SEC. 37. To prevent all persons from riding or driving any horse, mule, ox or other animal, on the side walks, or in any way doing damage to such sidewalks.

SEC. 38. To restrain or prevent the running at large of cattle, swine, sheep, horses, poultry, dogs, or any other animal, by fine, or tax, the same to be declared by ordinance.

SEC. 39. To restrain drunkards, immoderate drinking, or obscenity in the streets, or public places, and provide for arresting, fining or imprisoning of any person or persons, who may be guilty of the same, and to regulate, restrict, or prevent the sale of intoxicating drinks in said town, and if the same is deemed expedient, grant licenses, with such charges and under such restrictions, as they may deem proper, for the sale of intoxicating drinks in the said town.

SEC. 40. To alter the boundaries of wards and erect additional wards, subject to a majority vote of the qualified electors of the town, and to provide for the election of officers of each additional ward.

SEC. 41. To restrain, prohibit, and suppress gaming, bawdy, and other disorderly houses, fraudulent devices and practices, to restrain and prohibit all games of chance for the purpose of gaming.

SEC. 42. All ordinances passed by the Town Council shall, within one month after they have been passed, be published in some newspaper in the Town, and shall not be in force until they shall be published as aforesaid, or posted upon the Town Hall, or some conspicuous place.

SEC. 43. All ordinances of the town may be proven by the seal of the corporation, and when printed or published in book form, and purporting to be printed or published by authority of the corporation, the same shall be received in evidence in all Courts or places without further proof.

### CHAPTER III.—OF ELECTIONS.

Of town elec-  
tions

SECTION. 1. On the first Monday of December next, an election shall be held in said town of Taylor's Falls, for one President, three Trustees, one Recorder, one Attorney, one Treasurer, one Assessor, and one Marshal, who shall act as Collector, and one Justice of the Peace, and thereafter on the first Monday in December each year, there shall be an election for one President, one Trustee, one Recorder, one Attorney, one Treasurer, one Marshal, and one Justice of the Peace. The first election shall be held by the qualified voters residing within the limits of the town of Taylor's Falls as described in Chapter First of this Act. The town shall constitute one election precinct, until it shall be divided

into wards. It shall be the duty of the Commissioners of Chisago County to appoint three judges of election, whose duties shall be the same as prescribed by law, and it shall be the duty of the Clerk of the Board of County Commissioners for said county, to cause notice of time and place of holding first election to be held under this charter, the same as prescribed by law for precincts at regular elections, and the returns shall be made to the said Clerk of the Board of County Commissioners for said county, and he shall canvass the same and issue certificates of election to persons having the highest number of votes, *Provided*, That in all subsequent elections for choice of town officers, the judges of election shall be appointed as prescribed by ordinance.

SEC. 2. All free white male inhabitants over the age of twenty-one years, who are qualified voters in the State, and shall have been actual residents of said town six months next preceding any election, shall be entitled to vote for town officers. Who are qualified voters

SEC. 3. All elections held in said town, except the first election which is provided for in Section One of this Chapter, shall be held at such places as the Town Council may designate, by giving at least thirty days notice thereof, by printing in some newspaper printed in said town, or by posting up notice thereof in three public places within the limits of said town. The polls shall be kept open from ten o'clock A. M. until four P. M.; the opening and closing of the polls shall be announced aloud publicly.

SEC. 4. All elections shall be by ballot.

SEC. 5. When an election shall be closed and the number of votes for each person voted for counted, the said judges shall make returns thereof, stating the whole number of votes and the number of votes each person has received, for each and every office, and shall deliver or cause to be delivered such returns to the town Recorder, who shall, within ten days, give notice to each of the persons receiving the highest number of votes, of their election.

SEC. 6. All frauds in conducting elections or making false returns, or illegal voting shall be amenable to the State law.

#### CHAPTER IV.—OF THE PRESIDENT.

SECTION 1. No person shall be eligible to the office of President, who shall not have been a resident of the town one year next preceding his election, being a householder, or owner of real estate and a qualified elector. Of the eligibility to the office of president

SEC. 2. Whenever an election of President shall be contested, the Town Council shall determine the same in such manner as may be prescribed by ordinance.

SEC. 3. Whenever any vacancy shall happen in the office of President, it shall be filled by election.

SEC. 4. The President shall hold his office for one year, or until his successor is elected and qualified.

SEC. 5. The President shall preside over all meetings of the Town Council, and shall sign all town orders, contracts, agreements, commissions, licenses and permits, and shall sign the journal of all the meetings of the Town Council, officially.

SEC. 6. In case of absence of the President at any meeting of the Town Council, the Council shall elect one of their members to preside *pro tempore*.

SEC. 7. The President or any two members may call a special meeting of the Town Council.

SEC. 8. The President shall from time to time communicate to the Council such information and recommend all such measures as, in his opinion, may tend to the improvement of the finances, the health, the police, the security, comforts and ornaments of said town.

SEC. 9. He shall have power to administer oaths or affirmations. He shall have power to execute all acts that may be required of him by any ordinance made in pursuance of this Act.

#### CHAPTER V.—DUTIES OF RECORDER.

Of the duties  
of the Recorder

SECTION 1. The Recorder shall act as Clerk at all meetings of the Town Council; shall attest to all meetings, orders, notices, certificates, contracts, agreements, commissions, licenses, and permits.

SEC. 2. He shall keep a true and correct journal of the proceedings of the Town Council in a book to be provided by said Town Council, shall keep and file for reference all papers belonging to the town, shall keep and audit all approved accounts, shall keep a book containing the debit and credit of the town, which book shall be balanced annually in the month of December.

SEC. 3. It shall be the duty of the Recorder, in the month of December in each and every year, to make out a full and complete statement of all monies received and expended by the corporation during the preceding year, and cause the same to be posted up in three conspicuous place, or printed in a newspaper in the town three successive times.

#### CHAPTER VI.—OF JUSTICES OF THE PEACE.

Of the Justices  
of the Peace

SECTION 1. The Justice of the Peace for the town shall possess all the authority, powers and rights of a Justice of the Peace. He shall have exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases within the town, cognizable before a Justice of the Peace, but warrants returnable before the said Justice may be issued in criminal cases by any other Justice of the town.

SEC. 2. Should any vacancy occur in the office of Justice of the Peace, the Town Council shall appoint one to act in his place, until the next general or special election when the vacancy shall be filled.

SEC. 3. The Justice of the Peace for the town shall quarterly report to the Town Council, a list of all proceedings instituted before him in behalf of the town, and the disposition thereof, and shall at the same time account and pay over the amount of all penalties and costs collected, which may accrue to the town. He shall be entitled to receive such fees in criminal cases as are allowed to other Justices of the county for similar services.

#### CHAPTER VII.—OF OTHER OFFICERS.

SECTION 1. The several duties of the different officers not provided for in this charter, shall be regulated by ordinance, when it is not otherwise regulated by State law. The duties of the Attorney, Treasurer, Assessor, Marshal and Trustees, shall be regulated from time to time by the Town Council. Of the duties of other city officers

#### CHAPTER VIII.—OF SALARIES.

SECTION 1. The Town Council shall regulate the salaries and fix the compensation to be paid to all the officers of the town. Of salaries

#### CHAPTER IX.—MISCELLANEOUS PROVISIONS

SECTION 1. When it shall be necessary to take private property for public use, the Town Council shall make just compensation therefor to the person whose property is so taken, and if the amount of such compensation cannot be agreed upon, the President shall cause the same to be ascertained by a jury of six disinterested freeholders of the town, to be selected as jurors in Justices Courts, and the parties interested shall have the same power of challenging the jurors as is allowed in Justices Courts. Of taking private property for public way

SEC. 2. The jury in ascertaining the amount of damages incurred in taking property for public use, shall take into consideration the benefit as well as the injury happening by such appropriating of private property for public use.

SEC. 3. The Town Council shall have power, by ordinance, to levy and collect a special tax on the holders of the lots on any street, lane, avenue or alley, or part of any street, lane, avenue or alley, according to their respective fronts, for the purpose of paving and grading the streets, sidewalks, or lighting the same. Special tax for street improvements

SEC. 4. The Town Council shall have power, for the purpose of keeping the streets, lanes, alleys, avenues, wharves and sidewalks in repair; to require every male inhabitant in said

- Labor on streets—who are subject to** town over twenty-one years of age, to labor on said streets, avenues, alleys, wharves and sidewalks, not exceeding two days in each and every year, and every person failing to perform such labor when duly notified by the Supervisor, shall forfeit and pay the sum of one dollar per day for each and every day so neglected or refused to work.
- Suits how instituted** **Sec. 5.** All suits, actions, and prosecutions instituted, commenced, and prosecuted or brought by the corporation, shall be in the name of the Town of Taylors Falls.
- Appeals how made** **Sec. 6.** Appeals shall be allowed from decisions in all cases arising under the provisions of this Act, or any ordinance passed in pursuance thereof, to the District Court of Chisago county, and every such appeal shall be taken and granted in the same manner and with like effect as appeals are taken from and granted by Justices of the Peace to the District Court under the laws of this State.
- Town Marshal—jurisdiction** **Sec. 7.** The Town Marshal, or any other officer authorized to execute writs or other process issued by the Town Justice of the Peace, shall have power to execute the same within the limits of Chisago county, and shall be entitled to the same fees for traveling as are allowed in similar cases.
- Delivery of books to successors** **Sec. 8.** The President, Recorder and other officers of said corporation shall, on demand, deliver to their successors in office, all such books, papers and other property belonging to or appertaining in any wise to said corporation.
- Public act** **Sec. 9.** This Act is hereby declared a public act, and may be read in evidence in all Courts of law and equity in this State without proof.
- Suppression of riots** **Sec. 10.** Any member of the Town Council is hereby authorized to call upon every male inhabitant of said town over the age of twenty-one years, to aid in enforcing the laws and ordinances, and in case of riot, the President shall have power to call out the militia to aid in suppressing the same, or carrying into effect any law or ordinance, and any person who shall not obey such call, shall forfeit to said town a fine not exceeding ten dollars.
- Omission of duty or misconduct in office** **Sec. 11.** In case the President, or any town officer, shall at any time be guilty of a palpable omission of duty, or shall wilfully or corruptly be guilty of oppression, malconduct, or partiality in the discharge of the duties of his or their office, he or they shall be liable to be indicted in the District Court for Chisago county, or shall answer in civil action to such omission, oppression, defalcation, malconduct or partiality, and on conviction, he or they shall be fined not more than five hundred dollars, and the Court shall have power, (on the recommendation of the Jury,) to add to the judgment of the Court, that he or they be removed from office and have power to increase the fine.
- Sec. 12.** When any tax has been levied, it shall be the duty of the Recorder to make out a duplicate of the taxes, charging each individual owning property in said corporation,

with the amount assessed on each item of property as found on the assessment roll, duly corrected on the books of the county for the same year, which duplicate shall be certified by the President and Recorder, and one copy thereof shall be placed in the hands of the Marshal, whose duty it shall be to collect said tax in the same manner and under the same regulations as other county or town taxes are collected, and the collector shall pay over said taxes immediately after collecting the same, to the Treasurer of said corporation, taking his receipt therefor, and the said Marshal shall have the same power to sell property, both real and personal, for the non-payment of the corporation taxes as is given to the Town or County Collectors under the laws of the State.

Tax duplicate  
and collection  
of taxes

SEC. 13. The officers elected at the annual election, shall qualify and enter upon the discharge of their duties on the first Monday of each and every year, and shall continue in office until their successors are elected and qualified.

Tenure of office

SEC. 14. This Act may be amended or repealed at any future Legislature, by request, through petition of a majority of the qualified electors of said town.

GEORGE BRADLEY,  
Speaker of the House of Representatives.  
WILLIAM HOLCOMBE,  
President of the Senate.

APPROVED—July fifteenth, one thousand eight hundred and fifty-eight.

HENRY H. SIBLEY.

SECRETARY'S OFFICE, Minnesota, }  
July 15, 1858. }

I hereby certify the foregoing to be a true copy of the original on file in this office.

FRANCIS BAASEN, Secretary of State.

## CHAPTER CXVI.

### *An Act to incorporate the City of Anoka.*

- CHAPTER 1. Boundaries of City.  
2. Of the City Government.  
3. Of the Chief Executive Officers.  
4. Of the City Elections.  
5. Of the Legislative powers of the Council.  
6. Of the duties and powers of the Mayor.  
7. Of the authority of the City Justice.  
8. Of proceedings in the opening and grading of streets.  
9. Of Miscellaneous provisions.

*Be it enacted by the Legislature of the State of Minnesota :*

### CHAPTER I.

#### BOUNDARIES.

SECTION 1. All the District or country in the county of